

**Circuit Court for Washington County**

**Neal Glessner**

Plaintiff

v.

**Case No. C-21-CV-22-000156**

**Chardan, LLC, et al.**

Defendants

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**ANSWER TO PLAINTIFF'S COMPLAINT**

Defendants, Charlotte Aufdem-Brinke, Alexander Thaggard, and Michael Skinner ("Defendants"), by and through their undersigned counsel, hereby answer the Plaintiff's Complaint, and state:

1. That the Complaint fails to state a cause of action upon which relief can be granted.
2. That the Defendants deny liability generally.

**NEGATIVE DEFENSES**

The Defendants raise the following negative defenses:

1. The capacity of a party to sue or be sued.
2. The authority of a party to sue or be sued in a representative capacity.

**AFFIRMATIVE DEFENSES**

The Defendants raise the following affirmative defenses:

1. Contributory negligence.
2. Assumption of the risk.
3. Accord and satisfaction.
4. Collateral Estoppel.
5. Estoppel.
6. Release.
7. *Res Judicata*.

8. Statute of Limitations.
9. Privilege.
10. Waiver

#### ADDITIONAL DEFENSES

1. Defendants' speech did not cause the damages complained about.
2. Defendants' speech is protected by the First Amendment.
3. Defendants' speech is true.
4. Defendants' speech is privileged.
5. State Government Article, § 20-304 does not expressly or impliedly permit private causes of action.
6. All of the Plaintiff's claims based on State Government Article, § 20-304 are barred and subject to dismissal because of the Plaintiff's failure to timely file/assert his claims with the Office for Civil Rights. Plaintiff's claims are otherwise untimely and/or barred by applicable statutory requirements and/or the doctrine of laches.
7. Plaintiff is estopped from making his claims and/or waived his claims against the Defendant.
8. Plaintiff failed to prevent and/or mitigate his alleged losses, injuries and damages.
9. Plaintiff's allegations and claims are subject to collateral estoppel and/or issue preclusion as a result of any prior litigation and/or rulings.
10. The actions or inactions and/or fault of the Plaintiff may have caused or contributed to the injuries, losses and damages allegedly sustained by the Plaintiff.
11. The Plaintiff's claims are limited by the applicable statutory ceilings on recoverable damages.

12. Defendants' reserve the right to raise any and all additional defenses available in law, equity, and/or facts that may come to light as the litigation develops.

WHEREFORE, having fully answered the Complaint filed against them, the Defendants respectfully request that the Complaint be dismissed, with all costs assessed against the Plaintiff.

/s/ Lisa M. Morgan

Lisa M. Morgan, Esquire (0612130187)

/s/ Yosef Kuperman

Yosef Kuperman, Esquire (1412170128)

The Law Offices of Frank F. Daily, P.A.

11350 McCormick Road

Executive Plaza III, Suite 704

Hunt Valley, Maryland 21031

(410) 584-9443 fax: (410) 584-9619

[lmorgan@frankdailylaw.com](mailto:lmorgan@frankdailylaw.com)

[ykuperman@frankdailylaw.com](mailto:ykuperman@frankdailylaw.com)

Attorney for Defendants, Charlotte Aufdem-Brinke,  
Alexander Thaggard, and Michael Skinner,

### **Certificate Of Service**

I hereby certify that on May 24, 2023, I served a copy of this document by e-filing it through MDEC on all parties.

/s/ Lisa M. Morgan

Lisa M. Morgan, Esquire (0612130187)